

Treaty between the United States of America and the Winnebago Tribe of Indians; Concluded March 8, 1865; Ratification advised, with Amendment, February 13, 1866; Amendment accepted February 20, 1866; Proclaimed March 28, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

March 8, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS a Treaty was made and concluded at the city of Washington, in the District of Columbia, on the eighth day of March, in the year of our Lord one thousand eight hundred and sixty-five, by and between William P. Dole, Clark W. Thompson, and St. A. D. Balcombe, Commissioners, on the part of the United States, and Little Hill, Little Dacoria, Whirling Thunder, Young Prophet, Good Thunder, Young Crane, and White Breast, Chiefs of the Winnebago Tribe of Indians, on the part of said tribe of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:—

Preamble.

ARTICLES OF TREATY made and concluded at Washington, D. C., between the United States of America, by their Commissioners, Wm. P. Dole, C. W. Thompson, and St. A. D. Balcombe, and the Winnebago Tribe of Indians, by their chiefs Little Hill, Little Decoria, Whirling Thunder, Young Prophet, Good Thunder, and White Breast, on the 8th day of March, 1865.

Contracting parties.

ARTICLE I. The Winnebago tribe of Indians hereby cede, sell, and convey to the United States all their right, title, and interest in and to their present reservation in the Territory of Dakota, at Usher's Landing, on the Missouri river, the metes and bounds whereof being on file in the Indian Department.

Cession of lands to the United States.

ARTICLE II. In consideration of the foregoing cession, and the valuable improvements thereon, the United States agree to set apart for the occupation and future home of the Winnebago Indians, forever, all that certain tract or parcel of land ceded to the United States by the Omaha tribe of Indians on the sixth day of March, A. D. 1865, situated in the Territory of Nebraska, and described as follows, viz: Commencing at a point on the Missouri river four miles due south from the north boundary line of said reservation; thence west ten miles; thence south four miles; thence west to the western boundary line of the reservation; thence north to the northern boundary line; thence east to the Missouri river; and thence south along the river to the place of beginning.

Reservation for the Winnebagos.

ARTICLE III. In further consideration of the foregoing cession, and in order that the Winnebagos may be as well situated as they were when they were moved from Minnesota, the United States agree to erect on their reservation, hereby set apart, a good steam saw-mill with a grist-mill attached, and to break and fence one hundred acres of land for each band, and supply them with seed, to sow and plant the same, and shall furnish them with two thousand dollars' worth of guns, sixty horses, one hundred cows, twenty yoke of oxen and wagons, two chains each, and five hundred dollars' worth of agricultural implements, in addition to those on the reserve hereby ceded.

Boundaries.

The United States to erect mills, to break, &c. lands, to furnish seeds, tools, &c.

Amendment.
Post. p. 672.

Agency and
other buildings
and houses for
chiefs.

Expenses of
removal, &c.

ARTICLE IV. The United States further agree to erect on said reservation an agency building, school-house, warehouse, and suitable buildings for the physician, interpreter, miller, engineer, carpenter, and blacksmith, and a house 18 by 24 feet, one and a half story high, well shingled and substantially finished, for each chief.

ARTICLE V. The United States also stipulate and agree to remove the Winnebago Tribe of Indians and their property to their new home, and to subsist the tribe one year after their arrival there.

In testimony whereof, the said Wm. P. Dole, Clark W. Thompson, and St. A. D. Balcombe, Commissioners as aforesaid, and the undersigned chiefs and delegates of the Winnebago Tribe of Indians, have hereunto set their hands and seals, at the place and on the day hereinbefore written.

W. P. DOLE,
CLARK W. THOMPSON,
ST. A. D. BALCOMBE,
Commissioners.

LITTLE HILL, his x mark.	[SEAL.]
LITTLE DACORIA, his x mark.	[SEAL.]
WHIRLING THUNDER, his x mark.	[SEAL.]
YOUNG PROPHET, his x mark,	[SEAL.]
GOOD THUNDER, his x mark,	[SEAL.]
YOUNG CRANE, his x mark,	[SEAL.]
WHITE BREAST, his x mark,	[SEAL.]

In presence of —

MITCHELL ST. CYR, *United State[s] Interpreter.*
ALEXANDER PAYN, " " "
R. W. FURNAS, *U. S. Agt. for Omahas.*
BENJ. F. LUSHBAUGH, *U. S. Indian Agent.*
AUGUSTUS KOUNTZE.
C. HAZLETT.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the thirteenth day of February, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following to wit: —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
February 13, 1866.

Ratification
with amendment.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Washington, D. C., between the United States of America, by their Commissioners, William P. Dole, C. W. Thompson, and St. A. D. Balcombe, and the Winnebago Tribe of Indians, by their chiefs Little Hill, Little *Decorice*, [Dacoria,] Whirling Thunder, *Yound* [Young] Prophet, Good Thunder, and White Breast, on the 8th day of March, 1865, with the following

AMENDMENT:

See *Ante*, p. 671. Article 3d, line 7, strike out the word "sixty," and insert the words *four hundred*.

Attest:

J. W. FORNEY, *Secretary.*

And whereas information of the foregoing amendment having been given to the Chiefs of the Winnebago Tribe of Indians whose names are subscribed to the writing hereto following, they did, on the twentieth day of February, one thousand eight hundred and sixty-six, give their free

and voluntary assent to said amendment in the words and figures following, to wit:—

OMAHA INDIAN AGENCY, NEBRASKA TERRITORY,
February 20, 1866.

Amendment accepted.

Be it known that we, the chiefs of the Winnebago Tribe of Indians, in council assembled, being informed by Superintendent E. B. Taylor, through acting agent R. W. Furnas, that the treaty entered into by our chiefs and legal representatives, on our part, and the United States, by Commissioners, on *its* [their] part, in March, 1865, has been so amended as to provide for four hundred head of horses instead of sixty head, as originally stipulated, we hereby agree to said amendment, and consent to its being made a part of the original Treaty.

In testimony whereof we have hereto set our hands and seals the day and year above written.

LITTLE HILL, his x mark.	[SEAL.]
GOOD HEART, his x mark.	[SEAL.]
GOOD THUNDER, his x mark.	[SEAL.]
THOMAS JEFFERSON, his x mark.	[SEAL.]
COO-NA-HUT-TA-KA, his x mark.	[SEAL.]
YOUNG FRENCH, his x mark.	[SEAL.]
OLD ROGUE, his x mark.	[SEAL.]
WHIRLING THUNDER, his x mark.	[SEAL.]
YOUNG PROPHET, his x mark.	[SEAL.]
LITTLE DECORA, his x mark.	[SEAL.]
BIG BEAR, his x mark.	[SEAL.]

Signed in presence of—

R. W. FURNAS, *U. S. Ind. Ag't.*
FRANK THEBALT, *Interpreter.*
ALEX. PAYN, "
MERSHALL ST. SCYR, "
ROBERT TEARE, *Citizen.*

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the thirteenth of February, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said Treaty with the amendment as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this twenty-eighth day of March, in the year of our Lord one thousand eight hundred [L. S.] and sixty-six, and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*